UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED 08 MAR 10

UNITED STATES OF AMERICA,	Magistrate Docket No. '08 MJ 07 44
Plaintiff,	
v.	COMPLAINT FOR VIOLATION OF:
	Title 8, U.S.C., Section 1326 Deported Alien Found in the United States
Juan SANTIAGO-Dominguez,	
Defendant	

The undersigned complainant, being duly sworn, states:

On or about **March 7, 2008** within the Southern District of California, defendant, **Juan SANTIAGO-Dominguez,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **10th DAY OF MARCH 2008**

~~Leo S. Papas~~
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Juan SANTIAGO-Dominguez

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

On March 7, 2008 Border Patrol Agent M. Jiron was working assigned linewatch duties in The Imperial Beach area of operations. The National Guard operated infrared scope known as "Central Scope" advised via service radio of two individuals running northbound on a ditch known as "Campo's Ditch". This area is located approximately 50 yards north of the U.S./Mexico International Border, and three miles ~~east~~ west of the San Ysidro, California Port of Entry. This area is commonly used by illegal aliens to further their illegal entry into the United States. Upon reaching the area, Central Scope guided Agent Jiron towards their last observation of the indviduals. After a brief search of the area, Agent Jiron found an individual attempting to conceal himself under some brush. Agent Jiron encountered the defendant, later identified as **Juan SANTIAGO-Dominguez** and identified himself as a Border Patrol Agent and performed an immigration inspection. The defendant admitted to being a citizen and national of Mexico not in possession of any immigration documents which would allow him to enter or remain in the United States legally. At approximately 7:10 pm, Agent Jiron arrested the defendant and transported him to the Imperial Beach Border Patrol Station for processing

3/10/08 SLT

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **October 31, 2007** through **Calexico, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen and national of Mexico illegally present in the United States. The defendant further admitted that he had been previously deported from the United States and has not applied or requested permission to re-enter the United States legally.

Executed on March 8, 2008 at 9:30 A.M.

Irene S. Aguirre
Irene S. Aguirre
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 2 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **March 7, 2008**, in violation of Title 8, United States Code, Section **1326**.

Leo S. Papas
United States Magistrate Judge

3/9/08 - 12:51 pm
Date/Time